

Application No. 09/774,926
Amendment dated January 20, 2006
Reply to Office Action of November 23, 2005

REMARKS

Claims 1-17 are pending in the application, the status of the claims is as follows:

Claims 5 and 7-17 are withdrawn from consideration.

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,128,039 to Chen et al. (“Chen”).

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of U.S. Patent No. 6,587,142 B1 to Kozlowski et al. (“Kozlowski”).

Claims 3 and 4 are cancelled.

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of U.S. Patent No. 6,507,519 B1 to Collins et al. (“Collins”).

Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on October 16, 2002, is noted. Clarification is requested as no drawings were filed on October 16, 2002. Formal drawings were filed with the Application documents on January 31, 2001.

Claim 1 has been amended to correspond to objected to claim 4 in that the limitations of claims 3 and 4 have been incorporated into claim 1. This change does not introduce any new matter.

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35 U.S.C. § 102(e) Rejection

The rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by Chen, is respectfully traversed based on the following.

Claim 1 has been amended to include the limitations of claims 3 and 4 with the net result that claim 1 corresponds to claim 4 rewritten in independent form. As the Office Action indicates claim 4 would be allowable if rewritten in independent form, claim 1 is considered allowable.

Accordingly, it is respectfully requested that the rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by Chen, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claim 2 under 35 U.S.C. § 103(a), as being unpatentable over Chen in view of Kozlowski, is respectfully traversed based on the following.

Claim 2 depends from claim 1. As discussed above, claim 1 has been rewritten to include the limitations of claims 3 and 4, a combination the Office Action indicates would be allowable. As claim 1 is considered allowable, claim 2 is considered allowable due at least to its dependence upon claim 1.

Accordingly, it is respectfully requested that the rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of Kozlowski, be reconsidered and withdrawn.

The rejection of claim 6 under 35 U.S.C. § 103(a), as being unpatentable over Chen in view of Collins, is respectfully traversed based on the following.

Claim 6 depends from claim 1. As discussed above, claim 1 has been rewritten to include the limitations of claims 3 and 4, a combination the Office Action indicates would

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be allowable. As claim 1 is considered allowable, claim 6 is considered allowable due at least to its dependence upon claim 1.

Accordingly, it is respectfully requested that the rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of Collins, be reconsidered and withdrawn.

CONCLUSION

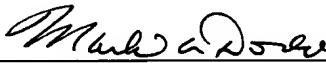
In view of the foregoing, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Response does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims beyond the number of claims originally paid for. Accordingly, no fee based on the number or type of claims is currently due. If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such a Petition for Extension of Time or any other fee required by this response, including any fee pursuant to 37 C.F.R. §§ 1.16 and 1.17,

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other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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